

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TP ICAP AMERICAS HOLDINGS
INC.,

Plaintiff,

v.

ICAP ENTERPRISES, INC.; and
HAFEN, LLC d/b/a HARBOR and
BITGO INC.,

Defendants.

C21-539 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) In the Joint Status Report, docket no. 81, the parties indicated that only Requests for Production (“RFP”) numbers 31 and 32 from the Motion to Compel, docket no. 56, filed by Plaintiff TP ICAP Americas Holdings Inc. (“TPI”) remain in dispute. The Motion to Compel, as it relates to RFPs 31 and 32, is DENIED. Regarding those RFPs, Defendant ICAP Enterprises (“ICE”) has agreed to produce documents showing planned future platforms, goods, and services to be launched or promoted using the iCap Enterprises Marks. Ex. 7 to Hamburg Decl. at 5 (docket no. 57-7). Thus, the parties dispute only whether ICE should produce documents related to future plans regarding platforms or cryptocurrency that are unrelated to any ICAP-formative mark. These documents are not relevant to this lawsuit. See Quiksilver, Inc. v. Kymsta Corp., 247 F.R.D. 579, 586 (C.D. Cal. 2007) (noting that documents relating to a non-infringing brand was not relevant).

1 (2) The record reflects that both parties have acted in good faith regarding their
2 efforts to resolve discovery disputes. Accordingly, the Court further DENIES both
parties' requests for an attorney's fees award.

3 (3) The Clerk is directed to send a copy of this Minute Order to all counsel of
4 record.

Dated this 30th day of November, 2021.

Ravi Subramanian

Clerk

s/Gail Glass

Deputy Clerk